

MARKED UP VERSION OF AMENDED CLAIMS

Claim 12 should read as follows:

12.(currently amended) A compound as claimed in claim 11, wherein, in the formula (II),

M is zirconium,

R⁴, R⁶ are identical or different and are each a hydrogen atom, a C₁-C₁₈-alkyl, C₂-C₁₀-alkenyl, C₃-C₁₅-alkylalkenyl, C₆-C₁₈-aryl, C₅-C₁₈-heteroaryl, C₇-C₂₀-arylalkyl, C₇-C₂₀-alkylaryl, fluorinated C₁-C₁₂-alkyl, fluorinated C₆-C₁₈-aryl, fluorinated C₇-C₂₀-arylalkyl or fluorinated C₇-C₂₀-alkylaryl,

R⁸, R⁹ are identical or different and are each a hydrogen atom, a halogen atom a linear or branched C₁-C₁₈-alkyl group, ~~C₂-C₂₅-alkenyl~~, C₂-C₁₀-alkenyl C₃-C₁₅-alkylalkenyl, a C₆-C₁₈-aryl group which may be substituted, C₅-C₁₈-heteroaryl, C₇-C₂₀-arylalkyl, C₇-C₂₀-alkylaryl, fluorinated C₁-C₁₂-alkyl, fluorinated C₆-C₁₈-aryl, fluorinated C₇-C₂₀-arylalkyl or fluorinated C₇-C₂₀-alkylaryl, and two radicals R⁸ or R⁹ may form a monocyclic or polycyclic ring system which in turn may be substituted,

X is chlorine,

Y is oxygen[,] or sulfur ~~or~~ NR⁹,

I, I' are identical or different and are each 1 or 2[,] .

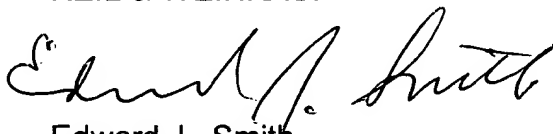
Remarks

This amendment corrects two inadvertent errors in claim 12 and, thus, reduces potential issues in the case. The "NR³" in claim 12 was inadvertently retained when the parent claim 11 was restricted to "oxygen or sulfur" as Y members. (Amendment of June 5, 2002). Support for the other amendment to claim 12 is found on page 5, line 17. The copies of the claims accompanying the brief assume that this amendment has been entered.

To the extent necessary, applicant(s) petition for an Extension of Time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF

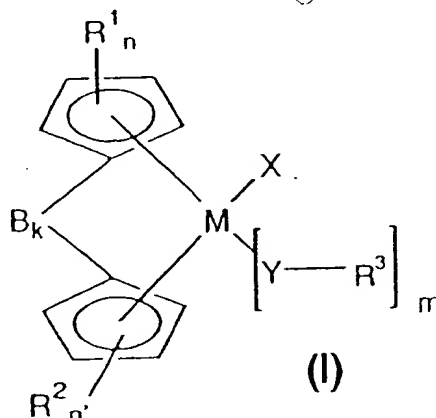


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COMPLETE LISTING OF ALL CLAIMS

9.(previously amended) A compound of the formula (I),



where

- M is a metal of transition group III, IV, V or VI of the Periodic Table of the Elements,
- R¹ are identical or different and are each a radical Si(R¹²)₃, where R¹² are identical or different and are each a hydrogen atom or a C₁-C₄₀-group or R¹ is a C₁-C₃₀-group, or two or more radicals R¹ may be connected to one another in such a way that the radicals R¹ and the atoms of the cyclopentadienyl ring which connect them form a C₄-C₂₄-ring system which may in turn be substituted,
- R² are identical or different and are each a radical Si(R¹²)₃, where R¹² are identical or different and are each a hydrogen atom or a C₁-C₄₀-group, or R² is a C₁-C₃₀-group, or two or more radicals R² may be connected to one another in such a way that the radicals R² and the atoms of the cyclopentadienyl ring which connect them form a C₄-C₂₄-ring system which may in turn be substituted,

R^3 are identical or different and are each a C_2 - C_{25} -alkenyl, C_3 - C_{15} -alkylalkenyl, C_5 - C_{24} -heteroaryl, C_7 - C_{30} -arylalkyl, C_7 - C_{30} -alkylaryl, fluorinated C_1 - C_{25} -alkyl, fluorinated C_6 - C_{24} -aryl, fluorinated C_7 - C_{30} -arylalkyl or fluorinated C_7 - C_{30} -alkylaryl,

X is a halogen atom,

Y is oxygen or sulfur,

n is from 0 to 4,

n' is from 0 to 4,

m is from 1 to 3,

k is 1,

B is a bridging structural element between the two cyclopentadienyl rings and

one or both cyclopentadienyl rings are substituted in such a way that they form an indenyl ring.

10.(previously amended) A compound as claimed in claim 9, wherein

M is Ti, Zr or Hf,

R^1 are identical or different and are each a radical $Si(R^{12})_3$, where R^{12} are identical or different and are each a hydrogen atom a C_1 - C_{20} -alkyl, C_1 - C_{10} -fluoroalkyl, C_1 - C_{10} -alkoxy, C_6 - C_{10} -aryl, C_6 - C_{10} -fluoroaryl, C_6 - C_{10} -aryloxy, C_2 - C_{10} -alkenyl, or R^1 is C_1 - C_{25} -alkyl, C_2 - C_{25} -alkenyl, C_3 - C_{15} -alkylalkenyl, C_6 - C_{24} -aryl, C_5 - C_{24} -heteroaryl, C_7 - C_{30} -arylalkyl, C_7 - C_{30} -alkylaryl, fluorinated C_1 - C_{25} -alkyl,

fluorinated C₆-C₂₄-aryl, fluorinated C₇-C₃₀-arylalkyl, fluorinated C₇-C₃₀-alkylaryl, or C₁-C₁₂-alkoxy, or two or more radicals R¹ may be connected to one another in such a way that the radicals R¹ and the atoms of the cyclopentadienyl ring which connect them form a C₄-C₂₄-ring system which may in turn be substituted,

R² are identical or different and are each a radical Si(R¹²)₃, where R¹² are identical or different and are each a hydrogen atom a C₁-C₂₀-alkyl, C₁-C₁₀-fluoroalkyl, C₁-C₁₀-alkoxy, C₆-C₁₀-aryl, C₆-C₁₀-fluoroaryl, C₆-C₁₀-aryoxy, C₂-C₁₀-alkenyl, or R² is C₁-C₂₅-alkyl, C₂-C₂₅-alkenyl, C₃-C₁₅-alkylalkenyl, C₆-C₂₄-aryl, C₅-C₂₄-heteroaryl, C₇-C₃₀-arylalkyl, C₇-C₃₀-alkylaryl, fluorinated C₁-C₂₅-alkyl, fluorinated C₆-C₂₄-aryl, fluorinated C₇-C₃₀-arylalkyl, fluorinated C₇-C₃₀-alkylaryl, or C₁-C₁₂-alkoxy, or two or more radicals R² may be connected to one another in such a way that the radicals R² and the atoms of the cyclopentadienyl ring which connect them form a C₄-C₂₄-ring system which may in turn be substituted,

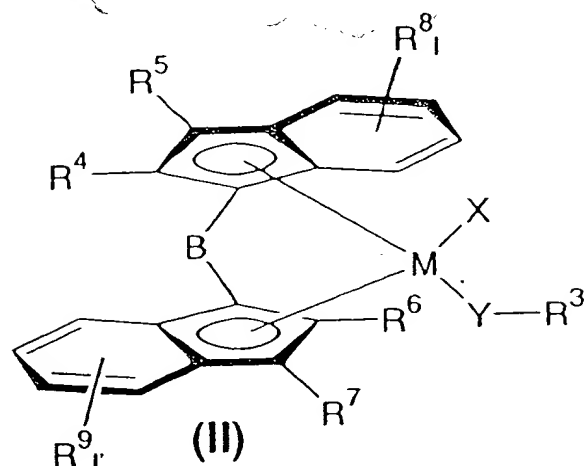
X is chlorine

Y is oxygen or sulfur,

m is 1 and

one or both cyclopentadienyl rings are substituted in such a way that they form an indenyl ring which is substituted.

11.(previously amended) A compound of the formula (II)



where

M is Ti, Zr or Hf,

R³ is isopropyl, tert-butyl, cyclohexyl or octyl, a C₅-C₂₄-heteroaryl, C₇-C₃₀-arylalkyl, C₇-C₃₀-alkylaryl, fluorinated C₆-C₂₄-aryl, fluorinated C₇-C₃₀-arylalkyl, or fluorinated C₇-C₃₀-alkylaryl

R⁴, R⁶ are identical or different and are each a hydrogen atom or a C₁-C₂₀-group,

R⁵, R⁷ are identical or different and are each a hydrogen atom or a C₁-C₂₀-group,

R⁸, R⁹ are identical or different and are each a hydrogen atom, a halogen atom or a C₁-C₂₀-group, and two radicals R⁸ or R⁹ may form a monocyclic or polycyclic ring system which may in turn be substituted,

X is a halogen atom,

Y oxygen or sulfur,

I, I' are identical or different and are each an integer from zero to 4,

B is a bridging structural element between the two indenyl radicals.

12.(currently amended) A compound as claimed in claim 11, wherein, in the formula (II),

M is zirconium,

R⁴, R⁶ are identical or different and are each a hydrogen atom, a C₁-C₁₈-alkyl, C₂-C₁₀-alkenyl, C₃-C₁₅-alkylalkenyl, C₆-C₁₈-aryl, C₅-C₁₈-heteroaryl, C₇-C₂₀-arylalkyl, C₇-C₂₀-alkylaryl, fluorinated C₁-C₁₂-alkyl, fluorinated C₆-C₁₈-aryl, fluorinated C₇-C₂₀-arylalkyl or fluorinated C₇-C₂₀-alkylaryl,

R⁸, R⁹ are identical or different and are each a hydrogen atom, a halogen atom a linear or branched C₁-C₁₈-alkyl group, C₂-C₁₀-alkenyl, C₃-C₁₅-alkylalkenyl, a C₆-C₁₈-aryl group which may be substituted, C₅-C₁₈-heteroaryl, C₇-C₂₀-arylalkyl, C₇-C₂₀-alkylaryl, fluorinated C₁-C₁₂-alkyl, fluorinated C₆-C₁₈-aryl, fluorinated C₇-C₂₀-arylalkyl or fluorinated C₇-C₂₀-alkylaryl, and two radicals R⁸ or R⁹ may form a monocyclic or polycyclic ring system which in turn may be substituted,

X is chlorine,

Y is oxygen or sulfur,

I, I' are identical or different and are each 1 or 2,

13.(original) A catalyst comprising at least one compound as claimed in claim 9 and a support and, optionally, a cocatalyst.

14.(original) A process for preparing a polyolefin which comprises polymerizing an olefinic monomer in the presence of a catalyst as claimed in claim 13.